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Message Text

SECRET

PAGE 01 MANILA 11734 061111Z

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ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 /026 W
---------- 030329
P R 060900Z AUG 76
FM AMEMBASSY MANILA
TO SECSTATE WASHDC PRIORITY 8536
INFO CINCPAC

S E C R E T MANILA 11734

EXDIS

CINCPAC ALSO FOR POLAD

E.O. 11652: GDS
TAGS: MARR, RP, OVIP (ROBINSON, C.W.)
SUBJECT: TEXT OF AIDE MEMOIRE PRESENTED TO DEPSEC 8/6

REF: MANILA 11733

FOLLOWING IS TEXT OF AIDE MEMOIRE HANDED BY PRESIDENT MARCOS TO DEPUTY SECRETARY ROBINSON DURING BREAKFAST MEETING AUGUST 6:

QUOTE

AIDE MEMOIRE

THE CURRENT NEGOTIATIONS ON THE USE OF FACILITIES WITHIN PHILIPPINE MILITARY BASES BY THE UNITED STATES ARMED FORCES HAVE DISCLOSED CERTAIN ASPECTS OF PHILIPPINE SECURITY ARRANGEMENTS RELATED TO THE PROVISIONS OF THE MUTUAL DEFENSE TREATY (MDT) OF AUGUST 1951, PARTICULARLY ON THE FOLLOWING:

"ARTICLE IV

"EACH PARTY RECOGNIZES THAT AN ARMED ATTACK IN THE PACIFIC AREA ON EITHER OF THE PARTIES WOULD

SECRET

SECRET

PAGE 02 MANILA 11734 061111Z

BE DANGEROUS TO ITS OWN PEACE AND SAFETY AND

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006

DECLARES THAT IT WOULD ACT TO MEET THE COMMON DANGERS IN ACCORDANCE WITH ITS CONSTITUIONAL PROCESSES.

ANY SUCH ARMED ATTACK AND ALL MEASURES TAKEN AS A RESULT THEREOF SHALL BE IMMEDIATELY REPORTED TO THE SECURITY COUNCIL OF THE UNITED NATIONS. SUCH MEASURES SHALL BE TERMINATED WHEN THE SECURITY COUNCIL HAS TAKEN THE MEASURES NECESSARY TO RESTORE AND MAINTAIN INTERNATIONAL PEACE AND SECURITY.

"ARTICLE V

"FOR THE PURPOSE OF ARTICLE IV, AN ARMED ATTACK ON EITHER OF THE PARTIES IS DEEMED TO INCLUDE AN ARMED ATTACK ON THE METROPOLITAN TERRITORY OF EITHER OF THE PARTIES, OR ON THE ISLAND TERRITORIES UNDER ITS JURISDICTION IN THE PACIFIC OR ON ITS ARMED FORCES,PUBLIC VESSELS OR AIRCRAFT IN THE PACIFIC."

VERCATIN AMERICAN AUTHORITIES HAVE INTERPRETED THE RESPONSIBILITIES OF THE PARTIES -- NAMELY, THE US AND THE PHILIPPINES -- AS NOT REQUIRING INSTANT RETAILIATORY ACTION IN THE EVENT OF AN EXTERNAL ATTACK AGAINST THE PHILIPPINES.

DURING THE SYMINGTON SUBCOMMITTEE HEARINGS HELD IN OCTOBER 1969, SENATOR SYMINGTON ASKED MR. JAMES WILSON, DEPUTY CHIEF OF MISSION OF THE AMERICAN EMBASSY IN THE PHILIPPINES, IF THE U.S. WOULD MAKE AN "INSTANTANEOUS RESPONSE" IN CASE ANY OF THE ISLANDS IN THE PHILIPPINES IS ATTACKED. MR. WILSON REPLIED, "MY PERSONAL ANSWER TO THAT WOULD BE THAT IT WOULD NOT. THIS AGAIN IS BASED ON WHAT I THINK IS IMPLICIT IN THE ENTIRE STRUCTURE OF OUR ARRANGEMENTS WITH THE PHILIPPINES. IT DOES RETAIN FOR US A SERIES OF OPTIONS, A CERTAIN FLEXIBILITY ON WHAT OUR RESPONSE WOULD BE. WE WOULD NOT AUTOMATICALLY BE INVOLVED INSITUATION SUCH AS THE ONE YOU (SYMINGTON) DESCRIBED." THE SYMINGTON HEARINGS, PERTAINING TO THE

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U.S. INTERPRETATIONS OF ITS SECURITY ARRANGEMENTS WITH THE PHILIPPINES, MAY THEREFORE BE SUMMARIZED, THUS: THAT THE US IS NOT COMMITTED UNDER THE MUTUAL DEFENSE TREATY TO TAKE ANY ACTION IN THE EVENT OF AN ATTACK ON THE PHILIPPINES EXCEPT IN ACCORDANCE WITH ITS CONSTITUIONAL PROCESSES; THAT, DEPENDING ON U.S. EVALUTATION OF THE STITUATION, ITS RESPONSE WILL RANGE FROM "EFFECTIVE DIPLOMATIC ACTION, TO ECONOMIC ASSISTANCE, TO PROVISIONS

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006

OF EQUIPMENT AND LOGISTICAL SUPPORT, TO COMBAT OPERATION," AND THAT ANY ATTACK FROM WHATEVER SOURCE NOT INVOLVING AN ATTACK ON THE U.S. ARMED FORCES WOULD NOT BE "INSTANTLY REPELLED" AND WOULD NOT "AUTOMATICALLY INVOLVE" THE U.S.

OFFICIAL QUERIES REGARDING THE ACTUAL RESPONSIBILITIES OF THE U.S. UNDER THE MDT MERITED SIMPLY A REITERATION OF THE CONTENTS OF THE MDT PROVISIONS. THE MOST RECENT REPLY SENT TO THE PHILIPPINE GOVERNMENT ON JULY 26, 1976 BY AMBASSADOR SULLIVAN, STATED THAT US OBLIGATIONS ARE:

"--TO UNDERTAKE TO SETTLE INTERNATIONAL DISPUTES BY PEACEFUL MEANS;

"--TO SEPARATELY AND JOINTLY MAINTAIN AND DEVELOP THE CAPACITY TO RESIST ARMED ATTACK;

"--TO CONSULT REGARDING THE IMPLEMNTATION OF THE TREATY;

"--TO RECOGNIZE THAT AN ARMED ATTACK IN THE PACIFIC AREA ON EITHER OF THE PARTIES WOULD BE DANGEROUS TO ITS PEACE AND SAFETY AND TO ACT TO MEET THE COMMON DANGER.Z

DURING THE PLENARY SESSION OF JULY 3, 1976 IN THE CURRENT NEGOTIATIONS, THE PHILIPPINE GOVERNMENT SOUGHT CLARIFICATION ON WHAT THE U.S. RESONSE WOULD BE IN THE SPECIFIC CASE OF AN EXTERNAL ATTACK ON THE REED BANK, A PART OF THE CONTINENTAL SHELF OF THE PHILIPPINES. ON THIS ISSUE, AS ARTICULATED BY AMBASSADOR SULLIVANDURING THE SAID PLENARY SESSION, THE U.S. CONSIDERS THESE AREAS AS DISPUTED TERRITORIES; THAT THE OCCUPATION OF THESE ISLANDS BY HOSTILE FORCES DOES NOT POSE A DIRECT THREAT TO THE MILITARY BASES IN THE PHILIPPINES OR TO THE AMERICAN

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PRESENCE IN THE AREA. IN EFFECT, THE STAND IS THAT THE U.S. WILLNOT BE BOUND TO RESPOND. THIS RECENT STATEMENT IS IN EFFECT A REAFFIRMATION OF THE INTERPRETATION DISCLOSED IN THE SYMINGTON REPORT.

IN THE LIGHT OF THE FOREGOING, THE PHILIPPINE GOVERNMENT SEEKS A MOST AUTHORITATIVE AND SPECIFIC STATEMENT OF THE US GOVERNMENT REGARDING ITS OBLIGATIONS UNDER THE MUTUAL DEFENSE TREATY OF 1951 IN RELATIONS TO THE SECURITY OF THE PHILIPPINES, WHETHER IN THE REED BANK OR IN ANY PART OF THIS COUNTRY, IN MINDANAO OR ELSEWHERE, IF ATTACKED BY EXTERNAL FORCES. THE PHILIPPINE GOVERNMENT DESIRES THIS CLARIFICATION SO THAT IT MAY REASSESS AND ADOPT APPROPRIATE SECURITY AND DEFENSE MEASURES WHICH WOULD BE RESPONSIVE TO THE EXISTING REALITIES IN THE

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006

REGION.

END QUOTE.

2. DEPSEC ROBINSON WILL COORDINATE APPROPRIATE ACTION
ON REPLY TO THIS AIDE MEMOIRE UPON HIS RETURN TO WASHINGTON.
SULLIVAN

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